

**WILLIAMSBURG CITY COUNCIL  
WORK SESSION  
FEBRUARY 7, 2005**

The Williamsburg City Council held a work session on February 7, 2005, at 2:00 p.m., in the Council Chambers of the Stryker Building.

**ATTENDANCE**

Present were Ms. Zeidler, Messrs. Haulman, Chohany, and Freiling. Also present were City Manager Tuttle, City Attorney Phillips, and City Clerk Crist. Mr. Scruggs was absent because he was traveling.

Staff Attending: Department Heads Serra, Hudson, Nester, Weiler, Assistant City Manager Miller.

**CALL TO ORDER**

Mayor Zeidler called the meeting to order.

**OPEN FORUM**

Mayor Zeidler opened the comment session.

**Mr. David Kranbuehl, 201 Harrison Avenue**, addressed Council regarding promoting healthy eating habits in our youth. He referenced the upcoming joint meeting with the School Board and Board of Supervisors on February 9, and hoped that Council members would talk to the James City County representatives about educating students about proper eating habits, and about serving only healthy food and snacks in schools. Every child should have the opportunity to have a lunch in school, despite income level.

No one else wished to speak. The session was closed.

**BACKGROUND PRESENTATIONS/DISCUSSIONS**

**Comprehensive Plan Process Update—Planning Director Reed Nester**

Reference for this item was Mr. Nester's report dated February 2, 2005. Mr. Nester pointed out on an overhead map the areas that needed to be looked at during review of the Comprehensive Plan. The Planning Commission has held six public forums and 23 work sessions to date, and will have meeting number 24 this evening. Mr. Nester reviewed an overhead map showing the areas that were developed since the last Comp Plan, undeveloped land areas, neighborhood focus areas, and said that a center-city focus area was added. Planning Commission has spent a lot of time reviewing and reaching a consensus on the Center City Focus Area, Jamestown Road Neighborhood Focus Area, and Richmond Road Neighborhood Focus Areas. At the meeting this evening, Planning Commission will consider the Commercial Corridors in the city and will target land use and zoning regulations around the Williamsburg Shopping Center area. Some of the other land issues to be considered are the South England Street residential areas, the Williamsburg Community Hospital Site, the Riverside property east of Quarterpath Road.

Mr. Nester said that the next step in the update process is to start work on the text of the plan. Planning Commission will conclude its review with a formal public hearing on the plan before making its formal recommendation to City Council. Council will hold at least one public hearing.

Mr. Haulman said Mr. Nester's report was very useful and recommended that citizens review it on the city's website.

Mr. Chohany applauded Mr. Nester's report and commented that as Planning Commission reviewed the Commercial Corridors, to keep in mind that the Monticello Corridor was also important.

At Mr. Freiling's request, Mr. Nester explained the process for holding public forums. The format consisted of listening to citizen comments rather than making long presentations. Citizens may access the calendar of upcoming meetings, etc., on the "Comprehensive Plan" section of the city's website, as well as the Comp Plan Summary. Printed copies are available at no charge from the Planning Department. Citizens may sign up for e-mail notification of meetings, or call the department to receive notice through regular mail. Mr. Freiling commended the Planning Commission and Mr. Nester for their efforts to get the public's input into the plan update.

Mayor Zeidler thanked Mr. Nester and recognized the Planning Commission for their team work and for working with mutual respect.

#### **EMS Revenue Recovery Program—Chief T.K. Weiler**

Reference for this item was Mr. Tuttle's report dated February 3, 2005. Mr. Tuttle said that Council was introduced to this Program two years ago as a possible source of revenue for the city along with the cigarette tax. The City Attorney has been pursuing issues related to the insurance-only billing, seeking an opinion from the Federal Department of Health and Human Service. The current Biennial Goals and Initiatives states that this revenue source should be investigated and discussed. The question is whether the City of Williamsburg is permitted to refrain from balance billing patients co-pay amounts of insurance for EMS service.

Chief Weiler and Chuck White, EMS Supervisor, provided Council with an overview of Emergency Medical Service in Williamsburg, the costs of the service, current funding, and the Fee for Service Concept. The cost of providing EMS response per patient is \$704.00. The Joint Legislative Audit and Review Commission of the Virginia General Assembly conducted a review of Virginia EMS in 2004, and recommended that EMS agencies should actively consider billing patients' health insurance policies for services and transportation provided. Chief Weiler explained the "Insurance Only" billing concept and added that Norfolk, Newport News, Richmond, Chesterfield, Roanoke, Fairfax, and Hanover already insurance bill, and Isle of Wight will start billing July 1. Fees and projected revenues of the program were reviewed. (Slides Attached)

Mr. Haulman asked for the percentage of city residents treated by the County's EMS through mutual aid.

Council members discussed:

1. The effect of EMS billing on insurance premiums. The Chief responded that EMS service represented only one percent of medical charges and should not increase premiums. If the insurance company should deny payment, the charges for service would be written off.

2. The impact of an ageing population, growth, and relocation of the community hospital on EMS. Chief Weiler responded that turn around time will increase to the new hospital site and more staff will be needed to operate an additional ambulance. Mr. Haulman commented that he was torn about user fees and said the hospital's move caused externality, and has increased costs to the city.

3. Recovery of fees. Chief Weiler was of the opinion that the city was negligent in letting recovery fees go uncollected. Most insurance companies cover EMS fees. Mr. Chohany stated that he was opposed to residents having to pay out-of-pocket, but that he was willing to consider recovery fees.

4. The uninsured person. Mr. Freiling was concerned about people without insurance hesitating to call for emergency service when needed. Chief Weiler assured Council that the uninsured would not be billed for services. With the use of a third party billing service, citizens may not even be aware of the charges.

5. James City County is considering a similar concept. Each locality would bill for transport services they provide, regardless of locality, and Mutual Aid would not be impacted.

6. Public opposition. Chief Weiler commented that people in the community are concerned about being charged for service and do not understand the concept of what is being proposed.

Mr. Phillips said that he is looking into the issue of co-payment for Medicare and Medicaid patients, and whether the payment of room and meal taxes by visitors would constitute their "co-pay." He is still waiting for an opinion from the Department of Health and Human Services. Should the city not collect a co-pay from non-residents, the city could be asked to refund monies to Medicare and Medicaid.

Mr. Tuttle would prefer that all patients are treated alike. No co-pay billing. If visitors to the city were "soft billed," no effort would be made to collect the monies if the bills were not paid.

Mr. Haulman stated his concerns about people not understanding the concept of EMS recovery billing and perhaps hesitating about calling "911." Mr. Freiling agreed that the correct message must be conveyed to the public. He suggested asking the Neighborhoods Council to help in this regard.

Mr. Tuttle said there was an article in the February 5 Virginia Gazette about the EMS fees, asking for people to comment by e-mail, telephone, or letter to City Council. Mayor Zeidler said that Council would continue seeking citizen comment while working toward a recommendation, and budget review and adoption.

**Preview of February 10 Council Meeting:** No additional information was requested.

### **City Council Communications**

Neighborhoods Council Meeting: Mayor Zeidler reported that it was a good meeting. Members heard a report from two members of the Hospital Reuse Committee. Mr. Jim Joseph spoke about the process of making a decision on the hospital reuse and Dean Ginny McLaughlin reported on the potential use of the facility for the School of Education/Graduate Center or perhaps for a Center for Excellence in Geriatrics and Aging, or for the Christopher Wren Society.

Merger of the Peninsula Alliance for Economic Development and the Hampton Roads Economic Development Alliance: Mayor Zeidler reported that the Peninsula Alliance for Economic Development voted in favor of the merger. Workforce Development will operate separately as the "Peninsula Council for Workforce Development."

### **Schedule of Meetings: February 2005**

Council members received a copy of the meeting calendar for February.

Joint City Council, School Board, and Board of Supervisors Retreat: The Council and Boards will meet for discussion on Wednesday, February 9, 2005, 2:00-4:00 p.m. at the Quarterpath Recreation Center. The public is welcomed to attend, but there will not be a public comment session.

### **OPEN FORUM**

Mayor Zeidler opened the comment session.

**Mr. Tex Turner, 213 Indian Springs Road**, spoke in full support of the EMS Recovery Program. Most people will need this service once or twice in a lifetime and it is paramount that we get the best of care from our Fire Department. During the Citizens Emergency Response Team (CERT) training class, he was amazed to learn how the cost of equipment has increased over the last 20 years. He would like to see more paramedic personnel in the Fire Department and would be willing to pay for EMS service.

### **CLOSED SESSION**

Mr. Haulman Moved that City Council go into Closed Session pursuant to Section 2.2-3711 of the Code of Virginia for the purpose of discussing one property matter per subparagraph 3, regarding acquisition of property for park protection of which discussion in an open meeting would adversely affect bargaining or negotiation strategy of public body; and one legal matter per subparagraph 7 for the purpose of consultation on specific legal matters requiring the provision of legal advice by counsel, concerning contract obligations. The Motion Was Seconded by Mr. Freiling.

Recorded Vote on the Motion:

Aye: Freiling, Zeidler, Haulman, Chohany

No: None

The meeting adjourned at 3:25 p.m. The Mayor called a five-minute recess.

At 4:15 p.m. Council met in Open Session.

Mr. Chohany Moved the Certification of Closed Meeting. The Motion was Seconded by Mr. Freiling.

Recorded Vote on the Motion:

Aye: Freiling, Zeidler, Haulman, Chohany

No: None

**CERTIFICATION OF CLOSED MEETING**

Date: February 7, 2005

Motion: Mr. Haulman Second: Mr. Freiling

WHEREAS, the City Council of the City of Williamsburg has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by the City Council that such meeting was conducted in conformity with Virginia Law.

NOW, THEREFORE, BE IT RESOLVED that the City Council of Williamsburg hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed session were heard, discussed or considered by the City of Williamsburg.

VOTE:

Aye: Freiling, Zeidler, Haulman, Chohany

No: None

Absent During Vote: Scruggs

Absent During Meeting: Scruggs

**HIGH STREET DEVELOPMENT: Roseland Study Period**

*Mr. Freiling Moved That City Council Authorize the City Manager to Extend the Study Period Under the Contract With Roseland for the High Street Property by 30 Days, Until March 10, 2005. The Motion Was Seconded by Mr. Chohany.*

*Recorded Vote on the Motion:*

*Aye: Freiling, Zeidler, Haulman, Chohany*

*No: None*

The meeting adjourned at 4:15 p.m.

Approved: March 10, 2005

Shelia Y. Crist  
Clerk of Council

Jeanne Zeidler  
Mayor